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From: David Barman

Re: Petition

4 pages after cover sheet

**David W. Barman P.A.**

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

June 12, 2001

Applicant: Barry Lynn

Application No. 09/733,157

Filed: 12/08/2000

**FAX RECEIVED****JUN 12 2001****PETITION UNDER 37 CFR §1.182****PETITIONS OFFICE**Director of Patents and Trademarks  
Washington D.C. 20231

Sir:

This is a petition for reconsideration of the response to the Notice to File Missing Parts filed April 5, 2001 in the above-identified application. Following submission of the response on April 5, 2001, applicant received a Notice of Incomplete Reply dated 06/01/2001 in the above-referenced application, Applicant submits that the reply is complete and respectfully petitions the following:

1. Applicant believes that the drawing requirement objected to in the Notice of incomplete reply is in error.

Applicant submitted a timely response to the Notice to File Missing Parts dated February 15, 2001, including substitute drawings, which the applicant believes to

be in compliance with 37 CFR § 1.84. . The substitute drawings in the application are a computer program which have the requisite margin. Even assuming that the margins are incorrect, formal drawing submission which meets all technicalities, is not required for purposes of responding to a Notice to File Missing Parts. Therefore, applicant respectfully requests that this objection to the drawings be held in abeyance in accordance with 37 CFR § 1.111(b) which in pertinent part states:

“...a request may be made that objections or requirements as to form not necessary to further consideration of the claims be held in abeyance until allowable subject matter is indicated.”

Applicant submits that meeting the margin requirements for drawings is not necessary for further consideration of the claims.

At this time, applicant requests that such requirement be held in abeyance and that the reply to the Notice to File Missing Parts filed April 5, 2001 be accepted as fully responsive.

Applicant respectfully requests the withdrawal of the Notice of Incomplete Reply, and to allow the application to be examined without any fees for extension of time. In addition, applicant requests that this petition is accepted without requiring a fee under 37 CFR § 1.17(h)

Should there be any questions concerning this petition, I may be reached by telephone at 305-332-4089.

Thank you for your attention to this matter.

Yours truly,



David W. Barman  
Agent for Applicant  
Reg. No. 47,225

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**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being sent by facsimile transmission to the United States Patent and Trademark Office, Office of Petitions 703-308-6916

David W. Barman Reg. No. 47,225

Signature  06/12/01



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/733,157	12/08/2000	Barry Lynn	98308

CONFIRMATION NO. 6224

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PETITIONS OFFICE

FORMALITIES LETTER



\*OC00000006136113\*

Date Mailed: 06/01/2001

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

*Filing Date Granted*

The U.S. Patent and Trademark Office has received your reply on to the Notice mailed and it has been entered into the nonprovisional application. The reply, however, doesnot include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may,however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a)accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

*Request Woldeges*

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Initial Patent Examination Division (703) 308-1202

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